



Essex-Windsor Solid Waste Authority Regular Board Meeting MINUTES

Meeting Date: Wednesday, April 10, 2024

Time: 3:00 PM

Location: Essex County Civic Centre
Council Chambers, 2nd Floor
360 Fairview Avenue West
Essex, Ontario N8M 1Y6

Attendance

Board Members:

Gary Kaschak –Chair	City of Windsor
Kieran McKenzie	City of Windsor
Jim Morrison	City of Windsor
Mark McKenzie	City of Windsor
Fred Francis	City of Windsor
Gary McNamara – Vice Chair	County of Essex
Hilda MacDonald	County of Essex
Michael Akpata	County of Essex
Rob Shepley	County of Essex

EWSWA Staff:

Michelle Bishop	General Manager
Steffan Brisebois	Manager of Finance & Administration
Cathy Copot-Nepszy	Manager of Waste Diversion
Tom Marentette	Manager of Waste Disposal
Madison Mantha	Project Lead
Teresa Policella	Executive Assistant

City of Windsor Staff:

Anne-Marie Albidone	Manager of Environmental Services
Shawna Boakes	Executive Director of Operations
Jim Leather	Manager of Environmental Services
Mark Spizzirri	Manager of Performance Management and Business Case Development

County of Essex Staff:

Melissa Ryan	Director of Financial Services/Treasurer
David Sundin	Solicitor/Interim Director, Legislative and Community Services
Sandra Zwiers	Chief Administrative Officer

Absent:

Drew Dilkens
Tony Ardovini

City of Windsor (Ex-Officio)
Deputy Treasurer Financial Planning

1. Call to Order

The Chair called the meeting to order at 3:02PM.

2. Motion to Move In-Camera

Moved by Fred Francis
Seconded by Gary McNamara

THAT the Board moved into a closed meeting pursuant to Section 239 (2) (k) of the Municipal Act, 2001, as amended for the following reason:

- (k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipally or local board.

**18-2024
Carried**

Moved by Fred Francis
Seconded by Hilda MacDonald

THAT the EWSWA Board rise from the Closed Meeting at 3:18PM.

**21-2024
Carried**

3. Declaration of Pecuniary Interest

The Chair called for any declarations of pecuniary interest and none were noted. He further expressed that should a conflict of a pecuniary nature or other arise at any time during the course of the meeting that it would be noted at that time.

4. Approval of the Minutes

Moved by Rob Shepley
Seconded by Fred Francis

THAT the minutes from the Essex-Windsor Solid Waste Authority Regular Meeting, dated February 6, 2024, be approved and adopted.

**22-2024
Carried**

5. Business Arising from the Minutes

No items were raised for discussion.

6. Waste Diversion

A. Results of Request for Proposal for Curbside Collection of Source Separated Organics for the Green Bin Program in the County of Essex

The Manager of Waste Diversion provided a summary of the report and highlighted the process that Administration followed to evaluate the Request for Proposal (RFP) submissions.

Two (2) submissions were received, Environmental 360 Solutions and Miller Waste Systems Inc. Both proposals achieved the minimum Technical Score and proceeded to the Financial Evaluation. Miller Waste Systems Inc. achieved the highest overall score and was identified as the Preferred Proponent.

Miller Waste Systems Inc. holds 31 municipal contracts in Ontario and 18 of these contracts are for source separated organics (SSO) similar to this contract.

Proponents were required to submit pricing for collection in urban settlement areas only, rural settlement areas only and provisional services which included the collection of multi-residential facilities and primary and secondary schools in both the urban and rural settlement areas in the County municipalities.

Miller Waste Systems Inc. submitted a price of \$2.02 per week, per stop for urban settlement areas only which results in an estimated total cost of \$5.99 million in Year 1 of the contract. Their price for rural settlement areas only was \$3.30 per week, per stop. The Authority requested the provisional pricing so these services could be brought on during the contract or if there are legislative changes.

Miller Waste Systems Inc. also noted in their proposal that a discount would be provided if the collection for both urban settlement areas and rural settlement areas could commence at the same time.

There is no direct or immediate impact on the 2024 Budget. Any financial implications will be presented for approval as part of the annual budget process in the appropriate year.

The Chair asked if there were any questions.

Kieran McKenzie requested clarification on the contract extension price.

The General Manager explained that any extension beyond 5 years would be under the same terms and conditions with the exception of the price per stop, which would be negotiated.

Kieran McKenzie asked where the County would land on the decision to include rural households.

The General Manager stated that we now have a fulsome cost and will provide County Council with all the information and best practices that EXP brought forward. The direction from the County was urban settlement areas, at a minimum. This is an enhanced service.

Kieran McKenzie asked questions regarding how the collection contract aligned with the processing of the material.

The General Manager stated that the short-term processing contract is a five-year contract with a number of extensions. The processing contract will be aligned with the collection contract. The contract extensions with Seaclyff Energy are at the Authority's discretion.

Kieran McKenzie asked why the evaluation committee thought that Miller's start-up plan is strong. He noted that we are absorbing a lot of the costs for public communication. He asked to what extent is Miller going to participate in the public communication.

The Manager of Waste Diversion noted that it is not a requirement of the collector to provide public education but they do have to comply with the Authority's campaigns. Both proponents had strong start-up plans but Miller had more systems in place in regards to quality control and an extensive recruitment process. They also have 18 SSO collection contracts in Ontario in the last 10 years and some of these contracts have been extended. She noted that in their submission, Miller explained typical collection issues encountered at curbside and how they deal with these issues.

Kieran McKenzie asked if Miller is operating in Southwestern Ontario.

The Manager of Waste Diversion confirmed that Miller has collection contracts in London, the Region of Waterloo and many others. She noted they have a lot of capacity and would be able to support this region.

The Chair asked if there were any other questions. There were no further questions.

The General Manager noted that the word "organics" was inadvertently omitted after the word "separated" in Recommendation number 2.

Moved by Fred Francis

Seconded by Kieran McKenzie

1. **THAT** the Authority Board award the Request for Proposals RFP 2024-02-07 for the curbside collection of source separated organics for the Green Bin Program in the County of Essex to the preferred proponent Miller Waste Systems Inc.
2. **THAT** the Authority Board authorize the Chair and General Manager to execute the Contract with Miller Waste Systems Inc. for the curbside collection of source separated organics in urban settlement areas for a

seven (7) year period with the anticipated commencement date of fall 2025. Where, the Authority reserves the right to extend the contract for two additional one-year extensions or portions of a year subject to the following process: any such extension shall be under the same terms and conditions excluding price which will be mutually agreed upon.

3. **THAT** the Authority Board authorize the General Manager to attend Essex County Council to request that the County provide a resolution by May 31, 2024 regarding the collection of processing of organic waste for households in rural settlement areas in all County Municipalities, AND
4. **THAT** the General Manager report back to the Authority Board on the Essex County Council's resolution to expand the collection and processing of organic waste to include households in rural settlement areas.

**23-2024
Carried**

B. Windsor Source Separated Organics Transfer Station Preferred Option

The General Manager referred to the presentation on the screen and described the layout and operations of the Windsor site and deferred to the Manager of Waste Diversion to review the Stantec report.

The Manager of Waste Diversion provided a summary of the report and stated that Stantec first had to confirm the capacity required at the Windsor site. Stantec did a scan of 14 municipal Green Bin programs in Ontario and noted that the longer the program, the more SSO was received or captured. Stantec used this information to establish the capacity for the Windsor Transfer Station over a 20-year period. At start up, the Authority should reach 6,200 tonnes per year and up to 17,000 tonnes per year over the long range.

Stantec reviewed the four options for the Fibre Material Recovery Facility (MRF) included in the Stantec report including the benefits and constraints of each option.

In Option 1 and Option 2, Stantec noted that these scenarios would not be feasible due to capacity.

It was noted by the consultant that Options 3 and 4 were both feasible but Option 4 was recommended. This option has several benefits and would also support the Authority's long-term needs for the site.

The Manager of Waste Diversion further noted that by occupying the Fibre MRF the Authority would not have a stranded asset in the middle of the site. As a result of this exercise, it was determined that Option 4 is the preferred option.

The Manager of Waste Diversion also noted that depending on the outcome of the Board on this decision, Administration would also be looking to issue an RFP to decommission the Fibre MRF equipment.

The cost for Option 4 is estimated at \$4.2 million. After reviewing the estimate, Administration requested Stantec to do a review of the estimate provided by EXP. to repurpose the Container MRF and provide an opinion of probable cost review Technical Memo.

Administration also requested Stantec to look at a phased-in approach. Stantec determined that while staging was feasible from a cost standpoint it would not be the preferred option as we would reach our capacity within seven (7) years as well as potentially be exposed to higher construction costs and the inconvenience of reconstruction.

The General Manager stated that Authority Administration had met with the MECP on three occasions. The MECP has been clear that the Authority would not require a new Environmental Compliance Approval (ECA) but would require an amendment to the existing ECA. An amendment could take approximately one year. The MECP noted that they could expedite the process if the Authority submits the application as soon as possible. Since it is critical to have a transfer location in place prior to the program start up, in consultation with County Procurement, the Authority identified using Stantec for the next phase. This aligns with the Authority's procurement policy and the Canadian Free Trade Agreement (CFTA) and the urgency to get this work completed. The Authority would be meeting with Stantec to identify the staff that would be working on this project and have Stantec provide a cost.

The General Manager presented the financial implications of the project and the proposed funding.

The General Manager asked if there were any questions.

The Chair noted the report was well explained and thought out.

Mr. Morrison asked what is the comprehensive plan for leachate.

The Manager of Waste Diversion stated that the Authority is looking to handle the leachate inside the transfer station and pre-treat the leachate. She referred to the Manager of Waste Disposal.

The Manager of Waste Disposal stated that currently it is collected in an oil/grit separator, pre-treated and dumped into the municipal sanitary sewer.

Ms. Albidone noted that not a lot of leachate would be coming from this material. The intent is to clear out the material every day. The organics would not be sitting for 2-3 days and producing leachate. There won't be a lot of leachate being collected.

Kieran McKenzie asked if residents in close proximity will notice odours.

The Manager of Waste Diversion stated that odours should not be a problem. The material will be delivered daily to Seacliff Energy. The floors will be washed down. This Transfer Station will be unique in that the doors will be required to be closed when material is being dumped and the wheels of the trucks will be washed. Equipment will not be allowed to leave the area unless it is cleaned. The building will be cleaned regularly. She noted that the current Transfer Station is wide open all day and all night and is closer to residents than the new site.

Moved by Kieran McKenzie

Seconded by Jim Morrison

THAT the Board APPROVE Administration's recommendation to proceed with utilizing the Fibre MRF for the purpose of a TS-SSO for the new Green Bin Program in fall 2025.

Further, **THAT** the Board APPROVE Administration's recommendation to engage Stantec Consulting Ltd. For engineering services for detailed design and approvals to construct a TS-SSO at the Authority's Windsor site.

**24-2024
Carried**

C. Promotion and Education (P&E) Plan – Blue Box Transition to Producers

The Manager of Waste Diversion provided an update on the promotion and education (P&E) plan that was developed to prepare for Essex-Windsor's transition to Producers on August 28, 2024. She noted that Circular Materials indicated that P&E was not necessary for the Authority to do prior to them taking over the blue box program. Administration believes that P&E efforts should be undertaken to prepare residents for changes to their collection.

The Manager of Waste Diversion displayed the various tactics and outlined and explained each of the tactics. She noted the Authority is hosting monthly meetings with the Municipal Working Group with representatives from each of the seven County municipalities and the City of Windsor to keep them informed and provide updates on the program. The P&E plan will be promoted on the EWSWA website, social media and in the Envirotips newsletter.

The Manager of Waste Diversion stated that the tactics described had been included in the 2024 budget.

The Chair asked if there were any questions.

Mr. Francis asked if the reports could be just open to questions from the Board instead of a presentation of every report due to the reports being very thorough.

The Chair stated that he will consult with Administration regarding Mr. Francis' request about the reports.

Mr. McNamara noted that there was a news article circulating regarding a pushback by the Producers and reducing their responsibility. With the start date of transition getting closer, should be concerned about this.

The General Manager stated that the article was published by CBC. She noted that she would forward the article to the Board. She stated that they have been hearing at the various subcommittees that she and Ms. Albidone attend that the Producers are unhappy. She stated that the Producers are strongly lobbying the Province regarding the cost of the program. She provided a summary of what led to the transition of the program and how it is being conducted under the new Producer model. She does not think that our transition is in jeopardy. A significant concern is that the targets will not be reached. Circular Materials is lobbying to be the only organization that will manage the common collection system. The Authority is monitoring this and it is something that we are involved with our working groups.

Kieran McKenzie commented he is not surprised that the Producers are complaining about costs.

Moved by Fred Francis

Seconded by Gary McNamara

THAT the Board receive the report as information.

**25-2024
Carried**

7. Waste Disposal

- A. Contract with Triple M LP. to Supply Auto Shredder Residue for Daily Cover at the Essex-Windsor Regional Landfill June 1, 2024 to May 31, 2029

Moved by Kieran McKenzie

Seconded by Fred Francis

THAT the Board approve an agreement between the EWSWA and Triple M Metal LP. (TMM) for the provision of Auto Shredder Residue for a five (5) year period commencing June 1, 2024 to May 31, 2029, at a price of \$10.00 per metric tonne for a minimum of 50,000 tonnes per year to a maximum of 90,000 tonnes per year. Further, the Chair and General Manager be authorized to sign said agreement.

**26-2024
Carried**

8. New Business

The Board met in closed session pursuant to Section 239 (2) (k) of the Municipal Act, 2001, as amended for the following reason:

- (k) A position, plan, procedure, criteria, or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipally or local board.

Discussion took place in closed session regarding the collection of blue box materials from non-eligible sources during transition of the blue box program to Producers. As a result, the following resolution was brought forward in regards to the collection of blue box materials from non-eligible sources beginning August 28, 2024 through December 31, 2025.

Moved by Fred Francis
Seconded by Hilda MacDonald

THAT the Board **APPROVE** Administration to accept the bi-weekly price of \$14.43 per stop per month price from Green for Life Environmental Inc. and enter into discussions to finalize the number of stops and agreement for curbside collection of blue box materials from bi-weekly non-eligible sources beginning August 28, 2024 through December 31, 2025.

THAT the Board **APPROVE** Administration to enter into discussions with the Corporation of the City of Windsor to finalize the number of stops and agreement for curbside collection of blue box materials from weekly and night-collected non-eligible sources beginning August 28, 2024 through December 31, 2025.

**27-2024
Carried**

9. Other Items

The Chair commented that the new EWSWA website looks great.

10. By-Laws

- A. By-Law 3-2024

Moved by Fred Francis
Seconded by Rob Shepley

THAT By-Law 3-2024, being a By-Law to Authorize the Execution of an Agreement with Miller Waste Systems Inc. for the Curbside Collection of Source Separated Organics for the Green Bin Program in the County of Essex in Urban Settlement Areas for a seven (7) year period with the anticipated commencement date of fall 2025, with the option to extend the Contract for two (2) additional, one-year extensions or portions of a year, any such

extension shall be under the same terms and conditions excluding price which will be mutually agreed upon.

**28-2024
Carried**

B. By-Law 4-2024

Moved by Gary McNamara
Seconded by Mark McKenzie

THAT By-Law 4-2024, being a By-Law to Authorize the Execution of an Agreement between the Essex-Windsor Solid Waste Authority and Triple M Metal LP for the Disposal of Auto Shredder Residue at the Essex-Windsor Regional Landfill.

**29-2024
Carried**

C. By-Law 5-2024

Moved by Rob Shepley
Seconded by Michael Akpata

THAT By-Law 5-2024, being a By-law to Confirm the Proceedings of the Board of the Essex-Windsor Solid Waste Authority be given three readings and be adopted this 10th day of April, 2024.

**30-2024
Carried**

11. Next Meeting Dates

Tuesday, May 7, 2024

Tuesday, June 4, 2024

Wednesday, July 10, 2024

Wednesday August 14, 2024 – Note: This meeting will start at 3:00PM

Wednesday, September 11, 2024

Wednesday, October 9, 2024

Tuesday, November 5, 2024

Tuesday, December 3, 2024


12. Adjournment

Moved by Rob Shepley
Seconded by Fred Francis

THAT the Board stand adjourned at 4:39PM.

**31-2024
Carried**

All of which is respectfully submitted.



Gary Kaschak
Chair



Michelle Bishop
General Manager